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**ATTORNEYS FOR DEFENDANT**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

**JANET JEAN BIG LAKE, as Personal  
Representative of the Estate of Ruben  
Stewart and on behalf of the ESTATE  
OF RUBEN STEWART, and  
LaVERNE WILLIAMSON BIG  
HAIR, on her own behalf,**

**Plaintiffs,**

**vs.**

**UNITED STATES OF AMERICA and  
it's agency, Department of the Interior  
Bureau of Indian Affairs,**

**Defendant.**

**CV 19-62-BLG-SPW-TJC**

**BRIEF IN SUPPORT OF  
SECOND UNOPPOSED MOTION  
TO EXTEND DEADLINES DUE  
TO COVID-19**

The United States, by and through its counsel, moves to extend the expert, discovery and motions deadlines set forth in this Court's Scheduling Order dated April 23, 2020. (Doc. 23) The bases for this Motion are as follows:

1. In response to the COVID-19 pandemic, the Crow and Northern Cheyenne Tribes have imposed travel and personal contact restrictions on their respective reservations. These restrictions have prevented Defendants from conducting depositions of the many fact witnesses who reside on the reservations, as well as a Fed. R. Civ. P. 34(a)(2) inspection of the land where the incident that gave rise to this suit took place. At the filing of this motion, the travel and access restrictions are still in effect on the reservations and will not expire until August 31, 2020.
2. At least one of the attorneys involved in this matter falls within a high risk category.
3. Counsel for the United States is currently trying to determine how best to arrange depositions with witnesses located on the reservations, but requires an extension to schedule the depositions and obtain transcripts to share with experts.
4. The fact witnesses located on the reservation possess information that will impact the experts' decisions in this matter.

5. Defendant therefore proposes a 60-day extension of the remaining scheduling deadlines set forth in the Scheduling Order (doc. 23) as follows:

Disclosure of Plaintiff's Damages Expert and Simultaneous Disclosure of Liability Experts:	October 13, 2020
Disclosure of Defendant's Damages Experts:	November 17, 2020
Disclosure of Rebuttal Expert Disclosures:	30 days after other party's disclosure
Discovery Deadline (discovery must be served so that responses are due on or before this date):	December 29, 2020
Motion for Settlement Conference Before a U.S. Magistrate:	December 29, 2020
Motions Deadline (except Motions otherwise scheduled):	January 28, 2020

Wherefore, the United States respectfully requests the Court extend the remaining deadlines set forth in the Scheduling Order due to constraints on discovery related to COVID-19.

DATED this 3rd day of August, 2020

KURT G. ALME  
United States Attorney

/s/ Tyson M. Lies  
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Assistant U.S. Attorneys  
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## CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of August, 2020, a copy of the foregoing document was served on the following person by the following means.

<u>1, 2</u>	CM/ECF
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_____	E-Mail

1. Clerk of Court

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